

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	Chapter 11
	§	
CITY WIDE COMMUNITY DEVELOPMENT CORP. ET AL.¹	§	Case No. 21-30847-MVL-11
	§	
DEBTORS	§	JOINTLY ADMINISTERED

**MOTION FOR EXPEDITED HEARING ON MOTION TO QUASH SUBPOENA AND
MOTION TO CONTINUE HEARING ON AGREED MOTION FOR APPROVING
COMPROMISE AND SETTLEMENT**
[Relates to Dkt. #575 and Dkt. #576]

COMES NOW, City Wide Community Development Corp. ("CWCDC") a Debtor and Debtor-in-Possession in the above-captioned Chapter 11 cases (the "Debtor"), procedurally consolidated with affiliated Debtors that are not parties to this motion identified by footnote below and makes this motion for expedited hearing and reduction of a notice on the Motion to Quash Subpoena [Dkt. #575] and Motion to Continue Hearing on Agreed Motion for Approving Compromise and Settlement, [Dkt. #576], (collectively the "Motion"). In support of the Request, the Debtor respectfully states as follows:

1. The Court may shorten the notice of a motion "for cause shown." *See* Fed. R. Bankr. P. 9006(c)(1).
2. The Debtor incorporates by reference the facts set forth in the Motion. Capitalized terms not otherwise defined herein shall have the meanings given to them in the Motion.

¹ The last four digits of the Debtors' tax identification numbers are: City Wide Community Development Corporation (8514); Lancaster Urban Village Commercial, LLC (8989); and Lancaster Urban Village Residential, LLC (1040).

3. Debtor filed a voluntary petition under Chapter 11 of Title 11 of the United States Bankruptcy Code on April 30, 2022.

4. The plan of reorganization (the “Plan”) in this case was confirmed by Order of this Court on July 15, 2022 [Dkt. #450] (the “Order”).

5. Debtor filed a voluntary petition under Chapter 11 of Title 11 of the United States Bankruptcy Code on April 30th, 2021.

6. On September 12th, 2022, Debtors filed a Motion to Compromise Controversy with Mr. Tito Marrero, Dkt. #566.

7. On September 13th, 2022, a Motion for Expedite Hearing on the Motion to Compromise, Dkt. #567, was filed. Notice of Hearing for Motion to Compromise has then been set for September 22nd, 2022 [Dkt. #569].

8. The Debtor files this Motion seeking an expedited hearing on the Motions based on the relief requested in the Motion. In summary, the Debtors cannot proceed with the settlement agreement because of the attempted unilateral repudiation of Tito Marrero (“Marrero”). Marrero also seeks to continue with threatened discovery that has been resolved by the now dispute regarding the settlement. Until this dispute is resolved, discovery on the underlying claims needs to be also abated under the arguments in the Motion.

WHEREFORE, the Debtor respectfully requests that this Court should set a hearing on shortened notice for the Motion to Quash Subpoena, Dkt. #575, and Motion for Continuance of Order Granting Compromise and Settlement, Dkt. #576, for **September 22nd, 2022, at 1:30 p.m.** and for such other and further relief in favor of the Debtor as is just and equitable.

Date: September 19th, 2022.

Respectfully submitted,

WILEY LAW GROUP, PLLC

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CERTIFICATE OF CONFERENCE

I hereby certify that the counsel for Debtors conferred with Tito Marrero, regarding the requested relief, and he did oppose this Motion.

/s/Kevin S. Wiley, Sr.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was served to U.S. Trustee, the top 30 creditors, to Mr. Marrero by email, and all other parties by ECF or the United States Mail, postage prepaid, on the attached mailing matrix.

/s/Kevin S. Wiley, Sr.